REMARKS/ARGUMENTS

Petition is hereby made under the provision of 37 CFR 1.136(a) for an extension of three months of the period for response to the Office Action. Our cheque in the amount of the prescribed fee is enclosed.

The applicants gratefully acknowledge the Examiner's withdrawal of several prior rejections.

The Examiner objected to claims 70 and 72 to 74 since these claims recite non-elected inventions. In this regard, the Examiner noted applicants remarks in the prior response and indicated that amendment in the manner indicated would be sufficient to overcome the rejection. It is regretted that applicants prior response did not contain instructions to amend claim 70 as indicated. This oversight is remedied herein. It is submitted that claims 70 and 72 to 74 can no longer open to objection on this ground.

The Examiner required applicants to amend the first line of the specification to recite the appropriate claim of priority. References to prior applications and their status have been added to page 1 to satisfy this requirement.

The Examiner objected to the amendment filed January 7, 2000 under 35 USC 132 on the basis that it introduce new matter to the disclosure. Reconsideration is requested.

As the Examiner notes, Figure 5 has been amended at positions 540 and 630, resulting in a change in the encoded amino acid at site 630. The Examiner deemed these changes new matter. It is the applicants submission that these changes correct errors appearing in the sequence as originally filed.

The application is a continuation of application number 08/467,960 filed June 6, 1995 which is a division of application number 08/001,554 filed January 6, 1993. That application claims priority from GB 9200117.1. A certified copy of the GB filing was filed in Application No. 08/001,554. A copy of that GB application is enclosed for the Examiner's review.

As will be seen therein, Figure 5 of the priority GB application, which shows the nucleotide and derived amino acid sequence for the RSV F gene, shows the sequence in the manner sought to be corrected in this application. It is apparent,

therefore, that there was an error in transcribing the Figure 5 from the priority GB application to the Figure 5 in US 08/001,554, which contains the same errors as sought to be corrected herein.

Further evidence that there is a transcription error which should be corrected is provided by applicants GenBank submission of the sequence in the RSV F gene in September 1993. The sequence is the correct one and is consistent with that in the priority GB application.

Accordingly, it is submitted that the amendments made to Figure 5 do not amount to new matter but correction to errors contained therein. It is submitted that the rejection under 35 USC 132 should be withdrawn.

The Examiner indicated that the IDS submitted with the response of January 3, 2002 with respect to the Chanock and Prince et al reference appears to have become separated from the other papers. The Examiner requested that it be resubmitted and the enclosed IDS and copies of the references comply with this request.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made**."

It is believed that this application is now in condition for allowance and early and favourable consideration and allowance are respectfully solicited.

Respectfully submitted,

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Appl. No. 09/479,240

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Disclosure:

On page 1, please insert the paragraph immediately following the Title:

"REFERENCE TO RELATED APPLICATIONS

This application is a continuation of application number 08/467,961 filed June 6, 1995 (now US Patent No. 6,171,783) which is a division of application number 08/001,554 filed January 6, 1993 (now US Patent No. 6,225,091)."

In the Claims:

Please amend claim 70 as follows:

70. (Amended) A process for the preparation of a chimeric protein including a protein from parainfluenza virus (PIV) and a protein from respiratory syncytial virus (RSV), which comprises:

isolating a first nucleotide sequence encoding [a PIV-3 protein or a fragment thereof having fusion activity or] a PIV-3 HN protein or a fragment thereof having hemagglutinin-neurominidase activities,

isolating a second nucleotide sequence encoding [a RSV-G protein or a fragment thereof having attachment activity or] a RSV F protein or a fragment thereof having fusion activity,

linking said first and second nucleotide sequences to form a multimeric hybrid gene, and

expressing the multimeric hybrid gene in a cellular expression system.